

Frankfort Architectural Review Board

April 17, 2007

Members Present: Andy Casebier
 Roger Stapleton
 Charles Booe

Members Absent: John Downs
 Donald Perry

There being a quorum, the meeting proceeded.

A motion was made by Mr. Casebier to approve the minutes of the March 20, 2007 meeting. The motion was seconded by Mr. Booe and carried unanimously.

The first item of business on the agenda was a request from James and Barbara Henderson for approval of a Conditional Use Permit to allow a professional office use in conjunction with the residential use at the principal structure located at 308 Wilkinson Street, zoned "SH" Special Historic District.

Ms. Maya DeRosa, Planning Supervisor, was present for the staff report. Ms. DeRosa went over a power point presentation showing the property from different angles. Ms. DeRosa stated that the project met all the conditions in Article 4 section 4.418 and Article 19, sections 19.01 through 19.017. Therefore they are recommending approval with the following conditions a) the conditional use is permitted only at 308 Wilkinson; b) the conditional use is granted only to Barbara Domingo Henderson; c) the conditional use is limited to a professional office (psychology/counseling) within the single family home on the first floor as indicated on the floor plan; d) the conditional use is not transferable and any change in ownership, lessee, or type of business will make this approval null and void; and e) all signage must meet the requirements of Article 13 Sign Regulations and Article 4.405 and a sign permit shall be issued prior to installation.

Mr. Booe asked about the land use for the property located to the west of the subject property. Mr. Logan stated that it was the Bar Association and they were professional offices.

James and Barbara Henderson were present and stated that when they purchased the property it was owned by the Sunshine Center and was zoned for offices but at their request it was changed to residential. Since then the wife has decided to have her private practice there. Mr. Casebier asked if they would reside there as well. The applicants replied that they don't currently live there but they plan to.

Mr. Casebier made a motion to approve the Conditional Use Permit for 308 Wilkinson Street with the five conditions listed above. The motion was seconded by Mr. Booe and carried unanimously.

The next item of business was a request from Tony Bischoff for approval of a Conditional Use Permit to operate an office and file storage use in the principal structure located at 309 Shelby Street, zoned "SC" Special Capital Historic District.

Ms. Maya DeRosa, Planning Supervisor was present for the staff report. Ms. DeRosa went over a power point presentation showing slides of both the upper and lower levels of the building. She stated its current use is an office building and the applicant plans to utilize the space as an office and file storage center. She stated that the project meet all the conditions in Article 4 section 4.418 and Article 19, sections 19.01 through 19.017 therefore they are recommending approval with the following conditions a) the conditional use is permitted only at 309 Shelby Street, Suites 103, 106, 111, 208 and 210; b) the conditional use is granted only to Mr. Tony Bischoff; c) the conditional use is not transferable and any change in ownership or use will make this approval null and void; d) no storage of hazardous, perishable or flammable materials shall be allowed on-site; no delivery service shall be allowed for this use without prior ARB approval; and e) all signage meet the requirements of Article 13 Sign Regulations and Article 4.405 and a sign permit shall be issued prior to installation.

Mr. Tony Bischoff was present and added that they have vacant space in the building and they believe this will be a good use for that space. Mr. Casebier asked if they met the fire code requirements. Mr. Bischoff replied that the current level of fire protection includes fire extinguishers throughout the building. Mr. Booe asked about the security alarm and whether or not it was audible. Mr. Bischoff replied that there will be an alarm system but they have yet to decide whether or not it will be audible. Mr. Booe asked if he would have a problem with a condition requiring a silent alarm. Mr. Bischoff replied that would not be a problem. Mr. Booe also stated that the building number should be displayed on the front of the building. After discussion, Mr. Booe made a recommendation to approve the Conditional Use Permit for to operate an office and file storage use in the principal structure located at 309 Shelby Street with the 7 conditions outlined in the staff report he added the following conditions a) the security alarm services must be silent in nature; b) the building number must be clearly displayed; and c) that the materials storage may not include test samples or materials that are inert in nature. The motion was seconded by Mr. Casebier and carried unanimously.

The next item of business was a request from Main and Washington Properties for a Certificate of Appropriateness to replace the existing metal roof and shingle roof with dimensional shingle roof for the principal structure located at 333 West Main Street, zoned "SH" Special Historic District.

Ms. DeRosa was present for the staff report. Ms. DeRosa went over a slide presentation showing the property from different angles and pointing out that the existing roof is both metal and shingle. As part of the analysis staff surveyed the roof types in the immediate area, primarily along Washington Street and found that there were both shingle and metal roofs throughout the area. The findings in making their determination and staff recommendation are such that in the field study they found that the dominant roofing material in the immediate area of this site was metal they did not receive information from the applicant that would provide a burden of proof why repair is not a viable option, should they change the roof material from metal to shingle, would

alter the architectural character of the structure. Ms. DeRosa stated that as articulated in the staff report, the proposal is not consistent with the design criteria in Articles 4 and 17. Ms. DeRosa stated that they are making their recommendation in two parts. They are recommending denial of the Certificate of Appropriateness to change the metal roof on the primary structure to dimensional shingles however staff supports the administrative approval of the roof repair with like materials or replacement of the roof with metal. Regarding the part of the building with the back addition that is currently shingles they would allow that to be replaced with dimensional shingles.

Mr. Bill Ayer, Shareholder of Main and Washington Properties, was present on behalf of the applicant and stated that the building was built in 1808 and they dispute the fact that the building had a metal roof. In fact the information they found indicates that metal roofs at least in the Frankfort area were not used until the late 1800's. Mr. Ayer stated that Russ Hatter provided them with some information about the property that indicates that the roof in 1978 was Bolivian tin over cedar shingles. He stated that apparently they will find and have to remove the cedar shingles as well. While they are not in the position to replace it with cedar shingles or cedar shakes at this time they have made the request to change it to dimensional shingles primarily due to the cost factor. They obtained an estimate from a local craftsman who indicated that the cost to replace the front and back portions of the metal roof would be approximately sixty percent of cost Mr. Johnson, Mr. Judy, and Mr. True paid back in 1997 and they paid over one hundred thousand dollars for the building. He went over a different slide show pointing out the architecture and roofs of some of the other buildings in the area, most of which had shingled roofs. He stated that despite the fact that there are metal roofs in the area, there are also just as many with shingles. The cost factor of replacing the metal roof with a comparable metal roof is so burdensome that they don't believe they can do it and continue to operate an office in that building. They have explored many options including repairing it as suggested by staff but at this point the individuals who have looked at the roof both about replacing or repairing agree that this roof has reached its lifetime and there is not any way to feasibly replace it. Mr. Ayer stated that one thing he would point out with regard to the design guidelines for exterior remodeling, under the section relating to roofs sub section C, begins with two words they believe are important, it says "Whenever possible" the original roofing materials should be obtained. He stated that in a perfect world it's possible to replace the roof with metal but in a practical world its just not reasonable. So based upon the information available to them, based upon other roofs in the neighborhood, and based upon practicality of attempting to maintain an office building in downtown Frankfort they request that they be permitted to replace the roof with a shingled roof.

Mr. Casebier asked the applicant to describe the problem with the existing roof. Mr. Ayer explained that the roof is rusted thru and that there are numerous leaks in numerous locations. He stated that they first noticed the leaks in the attic and they made repairs to that but the roof is now leaking in another area and there is going to have to be some substantial work done in that area. Mr. Casebier asked if they discussed the option of repair. Mr. Ayer replied that the craftsman they spoke with indicated that he roof was beyond repair. There was some discussion concerning repairing the roof. Mr. Grigalis owner of the property directly next to the

subject property spoke in favor. He stated that he has been inside the subject property and that you can see daylight through the roof. He mentioned the repair work he completed on his property next door and went on to say that he didn't believe changing the roof to shingles would hurt the historic value of the neighborhood and therefore didn't have a problem with the change to shingles. Mr. Ayer added that he truly understands the desire to maintain things the way they were but at some level he believes that practicality has to be considered. He mentioned that there appears to be a mix of roof types in the area and they appreciate their board's consideration. After discussion concerning maintaining the original roof but also the hardship of operating a business and the expense to do both, Mr. Booe made a motion to approve the Certificate of Appropriateness to replace the existing metal roof with dimensional shingles for the principal structure located at 333 West Main Street. The motion was seconded by Mr. Casebier the motion carried with Mr. Booe and Mr. Casebier voting in favor.

The next item of business was request from Gene Coverston for a Certificate of Appropriateness to modify a condition of approval issued on June 1, 2006 relating to the driveway design from pavers to concrete for the principal structure located at 304 West Fourth Street, zoned "SC" Special Capital Historic District.

Ms. DeRosa was present for the staff report. Ms. DeRosa went over a slide presentation showing that the subject property is surrounded predominately by residences. She provided a little background about the property and stated that in June 2006 there was an addition and carport and a new driveway that was approved, there was no driveway before. One condition placed on that approval, condition 4 the concrete pavers used on the driveway shall be permeable to permit the growth of vegetation and reduce the effects of storm water runoff. That was based on Article 12.012 which states that all parking spaces including driveways within SC, SB or SH is located off-street is highly recommended that they use pavers rather than concrete. Ms. DeRosa went over slide presentation showing the different types of driveways in the area, they found concrete, ½ concrete/ ½ Hollywood, Hollywood and Gravel driveways. Based upon the information and the analysis contained in the report, staff recommends denial of the applicants request for a change in the driveway design from concrete pavers to solid concrete however if the board sees fit, staff recommends the condition that the driveway be concrete under the carport but Hollywood style from the carport to the street. The other conditions include that the driveway shall be designed to meet the same width and length dimension as approved by the ARB in June 2006 and any loss of grass in the front yard setback due to construction or other elements, shall be re-sodded or seeded prior to final inspection. Mr. Logan asked if there was a particular reason the applicant was coming before the board for this being that she had just received approval from the board in June 2006. Ms. DeRosa replied that she would let Ms. Coverston speak if she would like to but her understanding was that the cost along with the cost of the other renovation is too much and therefore she is asking for an alternative.

Ms. Coverston was available and asked the board to consider the proposed denial of her request and she hopes that since it is just a recommendation under Article 12.01 that the board would work something out that would please the city

but also help her with the financial aspect. Ms. Coverston asked the board to consider a concrete driveway with two cutout and bricked sections measuring 3' by 9', which would soften the look of the concrete. Staff asked the applicant if she received estimates. Ms. Coverston replied that the concrete with the pavers was \$3300. She went on to say that her contractor told her the pavers would be much more expensive. There was some discussion concerning the original approval and the different materials that could be used to pave the driveway.

Mr. Casebier made a motion to deny the Certificate of Appropriateness. The motion was seconded by Mr. Stapleton and carried with Mr. Casebier and Mr. Stapleton voting in favor.

Mr. Muller said that in the last meeting they were talking about looking at Article 17 and Article 4 in regards to the three historic districts and as he remembers it he was supposed to provide the board with the staffs changes and he passed those out. Each one has a section on remodeling and demolitions and or moving a structure but the criteria is really about adding to or moving the structure so they took all that out of Article 4 and added it to Article 17, created clarifiers where one is specific for exterior remodeling, one specific for adding or moving a structure, and one solely for the demolitions. They should be easier to read and follow. They are simply asking the board to look at this and schedule a workshop. Mr. Stapleton said they would schedule a workshop at the next meeting.

Mr. Casebier made a motion to adjourn. The motion was seconded by Mr. Booe, the motion carried unanimously.